

2018

Final Appeal Decision
Secretary's Office of Inmate Grievances & Appeals
 Pennsylvania Department of Corrections
 1920 Technology Parkway
 Mechanicsburg, PA 17050

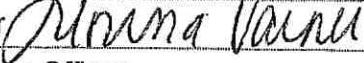
This serves to acknowledge receipt of your appeal to the Secretary's Office of Inmate Grievances and Appeals for the grievance noted below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System Policy", the following response is being provided based on a review of the entire record of this grievance. The review included your initial grievance, the Grievance Officer's response, your appeal to the Facility Manager, the Facility Manager's response, the issues you raised to final review, and (when applicable) any revised institutional responses required as a result of a subsequent remand action by this office. As necessary, input from appropriate Central Office Bureaus (e.g., Health Care Services, Chief Counsel, Office of Special Investigations and Intelligence, etc) may have been solicited in making a determination in response to your issue as well.

Inmate Name:	Lamont Zamichieli	Inmate Number:	LW2870
SCI Filed at:	Huntingdon	Current SCI:	Huntingdon
Grievance #:	728525		
<i>Publication (if applicable):</i>			
<div style="background-color: black; height: 40px;"></div>			

Decision:	<input checked="" type="checkbox"/> Uphold Response (UR) <input type="checkbox"/> Uphold Inmate (UI) <input type="checkbox"/> Uphold in part/Deny in part
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It is the decision of the Secretary's Office of Inmate Grievances and Appeals to uphold the initial response, uphold the inmate, or Uphold in part/Deny in part. This response will include a brief rationale, summarizing the conclusion, any action taken to resolve the issue(s) raised in the grievance and your appeal and relief sought.

Response:	<i>Frivolous</i>
You claim in your grievance that on 3/21/18 staff used excessive force. You also claim that Lt. Dunkle tried to bribe you and extort you. An investigation was conducted regarding your allegations. The records reflects that your issues were adequately addressed. There is nothing new to add to the responses you already received. The record reflects that OC spray was used due to you harming yourself. You have failed to provide any evidence to substantiate your claims. Therefore, your requested relief is denied.	

Signature:	Dorina Varner 
Title:	Chief Grievance Officer
Date:	7/5/18

DLV

cc: DC-15/Superintendent Kauffman
 Grievance Office

DC-ADM 804, Inmate Grievance System Procedures Manual

Section 2 – Appeals

Issued: 1/26/2016
 Effective: 2/16/2016

Attachment 2-F



Initial #728525

7/2

HVI

DC-804
Part 1

Pg 1 of 2.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONSResubmit # 728525
ABUSE Policy DCADM 801

OFFICIAL INMATE GRIEVANCE

728525

FOR OFFICIAL USE

GRIEVANCE NUMBER

TO: FACILITY GRIEVANCE COORDINATOR <u>MS Green</u>	FACILITY: <u>SCI-Huntingdon</u>	DATE: <u>3/30/18</u>
FROM: (INMATE NAME & NUMBER) <u>Lorenzo Zamichieli #LW2870</u>	SIGNATURE OF INMATE:	<u>Secretary's Office Inmate Grievances & Appeals</u>
WORK ASSIGNMENT: <u>NA</u>	HOUSING ASSIGNMENT: <u>SC1016DTI</u>	JUN 14 2018

INSTRUCTIONS: *Refugee, Newcomer & Ex-Asylee back in my cell, I want audio/visual recordings to prove everything said/done*
 1. Refer to the DC-ADM 804 for procedures on the inmate grievance system by officers. *Refugee, Newcomer & Ex-Asylee*
 2. State your grievance in Block A in a brief and understandable manner. *Double width paper*
 3. List in Block B any action you may have taken to resolve this matter. Be sure to include the identity of *Refugee, Newcomer & Ex-Asylee* to *facility to*
 staff members you have contacted. *Refugee, Newcomer & Ex-Asylee* *200,000 cash planned excessive force* *next day*

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages (one DC-804 form and one one-sided 8½" x 11" page). State all relief that you are seeking.

Resubmit # 728525... on 3/21/18 between 7:00-8:00pm all involved officers/employees at SCI-Huntingdon on DTU used planned Malicious Intentional excessive force on me, a serious mentally ill inmate "D" Stability. Then denied/delayed me medical care/mental health for injuries obtained. LT. Dunkle ordered DTU/RTH officers to pepper spray OC Mace spray investigating. I was told by numerous officers/inmate who witness and heard staff saying inmate Zamichieli Repeatedly bang his head on metal cage to self harm and knocked himself against others. C/O Chilote, C/O Walker, C/O Stover, C/O Fochman, C/O Henry, C/O Parkes ad few others. Force was planned according to recollection of threats by LT. Dunkle hours before or used excessive force discretion to pepper spray me while I was knocked unconscious/seizure from serious medical needs/disorders. on 3/21/18 between 6:57PM while on DTU to SC1016 Cell, C/O Henry / C/O Parkes was working DTU untrained to work ground deal with mentally ill/suicide report sexual abuse, they ignored ad made fun of me, threatened to harm me more. Camera not available ad requested to be saved all cameras. Force was used on me in strip cage when I was unconscious/medical seizure etc. I don't remember much, so I request cameras to be saved shown as evidence on 3/21/18 at 7:00-8:00PM... handheld camera/strip cage camera etc. Wake up being sprayed with OC Spray after knock out unconscious/seizure from self injury. Behavior head banging to wall, door, etc. I was no longer have threat to myself or others which unconscious/in need of medical treatment. Instead of treating me as patient instead of as a threat. Your grievance has been received and will be processed in accordance with DC-ADM 804.

B. List actions taken and staff you have contacted, before submitting this grievance.

available ad requested to be saved all cameras. Force was used on me in strip cage when I was unconscious/medical seizure etc. I don't remember much, so I request cameras to be saved shown as evidence on 3/21/18 at 7:00-8:00PM... handheld camera/strip cage camera etc. Wake up being sprayed with OC Spray after knock out unconscious/seizure from self injury. Behavior head banging to wall, door, etc. I was no longer have threat to myself or others which unconscious/in need of medical treatment. Instead of treating me as patient instead of as a threat. Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

Date

WHITE Facility Grievance Coordinator Copy
GOLDEN ROD Inmate Copy

CANARY File Copy

PINK Action Return Copy

Initial # 128525

DC-804
Part 1COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

FOR OFFICIAL USE

GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

Pg 2 of 2.

TO: FACILITY GRIEVANCE COORDINATOR <i>MS Green</i>	FACILITY: <i>Huntingdon</i>	DATE: <i>3/30/18</i>
FROM: (INMATE NAME & NUMBER) <i>LAMONT Zamichieli # LW2870</i>	SIGNATURE OF INMATE: <i>[Signature]</i>	
WORK ASSIGNMENT: <i>NA</i>	HOUSING ASSIGNMENT: <i>G1016D24</i>	

INSTRUCTIONS:

1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.
 2. State your grievance in Block A in a brief and understandable manner.
 3. List in Block B any action you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.
- I believe it's necessary for me to add all details in this one grievance because it all happened/occurred series of pattern. First officers used excessive force on me then they told nurse Ashley to deny me adequate medical care for injuries of Black eyes, head injuries, possible brain concussion etc on 3/21/18, incident It should all be on camera... NO scenes should be missing! If scenes are missing, Department Records are fabricated then that's Staff employees wrong by trying to write history that will substantiate my claims of abuse/sab abuse, excessive force medical neglect, & other forms of evidence. All parties listed or, if no persons by for acts, DTM, strip search, suffering from injuries in need of medical attention on 3/21/18 - 8:00am. Employers/inmates who witnessed and/or heard officers maliciously planned to spray out cold pepper spray of DTM. If unconscious or seizure, how would inmates be able to respond to orders given? Type of pepper spray used on me? I request cameras to be served for Civil Court Review. LT. Dunkle + officers that only harmed me. I now suffer trouble breathing, blurry vision, eye issues, dizziness, nausea, chest pain, seizures, migraines etc from use of excessive force. LT. Dunkle and DTM officials has policy to practice using excessive force on mentally ill inmates in DTM. In no others had witnessed officers maliciously set pepper spray inmates and this taken on Braggs. It's been known and many fear of it. Using it as a tool weapon to punish and harm inmates on purpose. I now live with fear constant worry PTSD of being harmed on purpose again if possible. Don't change or if I have to be housed in DTM or at this facility of illegal activities. What property blessed*
- B. List actions taken and staff you have contacted, before submitting this grievance.
- and DTM officials has policy to practice using excessive force on mentally ill inmates in DTM. In no others had witnessed officers maliciously set pepper spray inmates and this taken on Braggs. It's been known and many fear of it. Using it as a tool weapon to punish and harm inmates on purpose. I now live with fear constant worry PTSD of being harmed on purpose again if possible. Don't change or if I have to be housed in DTM or at this facility of illegal activities. What property blessed*

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

Date

WHITE Facility Grievance Coordinator Copy
GOLDEN ROD Inmate Copy

CANARY File Copy

PINK Action Return Copy

INITIAL REVIEW RESPONSE

SCI-Huntingdon

1100 Pike St.

Huntingdon, PA 16654-1112

This serves to acknowledge receipt of your grievance to the assigned Grievance Officer. The response is as follows.

Inmate Name:	Zavodisch	Inmate Number:	LW2870
Facility:	Huntingdon	Unit/Location:	DTU
Grievance #:	728525	Grievance Date:	3/30/18
Decision:	<input type="checkbox"/> Uphold Inmate <input checked="" type="checkbox"/> Grievance Denied		
<i>It is the decision of this grievance officer to uphold or deny the inmate's initial grievance. This response will include a brief rationale, summarize the conclusion, any action taken to resolve the issue(s) raised in the grievance and, relief sought.</i>			
Response:	Frivolous		

I have received your grievance in which you allege that excessive force was used on you, Lt Dunkle tried to bribe and extort you, and staff has abused you to the point where you need camera coverage on you at all times.

I have investigated your grievance talked to staff, to include Lt Dunkle, and reviewed videos of the stated incidents. You have several different claims in this grievance and I will attempt to answer all of them.

You allege that on 3/21/18 that staff used excessive force on you. When you continuously refuse to follow orders of staff including Lt. Dunkle and you attempt to commit self-harm by banging your head on doors and the DTU processing unit, the staff have no other course of action except to use OC or other means to stop you from attempting to harm yourself. You make allegations that Lt Dunkle is doing this because he wanted to give you cell phones and drugs to set up other inmates with the contraband. This is a lie. I have talked to Lt. Dunkle and No such offer has ever been made or implied by him or any other staff. You claim you need to be on camera at all times when you are out of your cell. There is camera coverage all over the DTU. With the amount of camera coverage on the DTU, you can be observed on camera every time you exit your cell. There is no need to have a handheld camera on you every time you exit your cell. You question the fact that you are not getting medical needs or you mental needs addressed properly. Every time you have a problem or a concern, when you commit or attempt to create self-harm. Then medical department is notified and they will see you at your cell or pull you out to be checked. I have checked your ICAR and have noted numerous entries by Mr., Diehl and Mr. Parsons regarding making contact with you and checking on your wellbeing. If you would start following the institutional rules and regulations, and policies and procedures the DTU staff would never have any problem with you and you could work off your DC and be released to population.

For the above reasons this grievance and all relief sought is denied.

Signature:	O.K. Diehl
Title:	RHU/DTU UM
Date:	4/25/18

cc: Superintendent
DC-15
File

Page 2 Appeal

728525

DC-804

Part 1

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS**

Appeal # 728525 b Sub KAUFF (MAD)

FOR OFFICIAL USE

GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR <i>Sgt. KENNEDY Facility Manager</i>	FACILITY: <i>SCI Huntington</i>	DATE: <i>4/21/18</i>
FROM: (INMATE NAME & NUMBER) <i>Lamont Z. Kendrick # LW2870</i>	SIGNATURE OF INMATE:	
WORK ASSIGNMENT: <i>N/A</i>	HOUSING ASSIGNMENT: <i>SCIC009 DRT</i>	

INSTRUCTIONS:

- Pg 1 of 2
1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.
 2. State your grievance in Block A in a brief and understandable manner.
 3. List in Block B any action you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages (one DC-ADM 804 form and one one-sided 8½" x 11" page). State all relief that you are seeking.

Appeal # 728525 to facility manager under Abuse per 19 DC ADM 001 ad present, the following facts as true!!! (1) 3/21/18 between 7:00-8:00PM cell offices/staffers named in Log and first level guard used excessive force maliciously intentionally while I was in need of medical attention unconscious SCIC009 DRT spray disorder to harm me. (2) Camera footage of whole scene of incident is saved available for review and canis with need them reviewed. (3) SCI Huntington has a Policy to spray for spray first and ask questions never... stated orally told by Cpl Henry Francis LT Dunkle & staff rage unconscious, having seizure, heart pains etc who in need of medical care for serious brain issues because officer been for their own safety consideration unresponsive. (4) As what Lt. Kendrick told me, he train his officers to use excessive force or mental illnesses in DRT. (5) No orders could be given to Lt. Dunkle to never spray in area of medical attention. (6) Lt. Dunkle sprayed me while I was unconscious. (7) Lt. Dunkle sprayed me while I was unconscious. (8) Lt. Dunkle threatened point to that they don't be want to spray me and he will suffer chance if I don't spray. I forward down to Lt. Dunkle as he wanted to bring in cell phone drugs forms to set other inmates up, so he can take attention off of himself and other employees who do but didn't get caught as other employees.

B. List actions taken and staff you have contacted, before submitting this grievance.

(1) I asked Lt. Dunkle to stop spraying me. (2) Lt. Dunkle threatened point to that they don't be want to spray me and he will suffer chance if I don't spray. I forward down to Lt. Dunkle as he wanted to bring in cell phone drugs forms to set other inmates up, so he can take attention off of himself and other employees who do but didn't get caught as other employees.

The grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

Date

WHITE Facility Grievance Coordinator Copy
GOLDEN ROD Inmate Copy

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Pastor of Appeal

DC-141
Rev. 9/2009
INMATE VER

PART II(C)
HEARING SUPPLEMENT
AND WITNESS STATEMENT

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS**

Digitized by srujanika@gmail.com

DC Number LW6810	Name Lomont Touchette	Facility Hennepin	No. from PART I 10-00000
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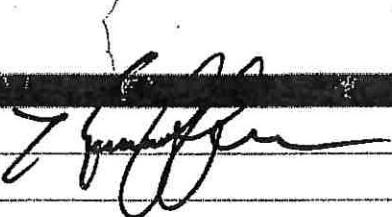
INMATE'S VERSION

(9) UMKENDRICKS CONT'D. It's not true that my claims are false. I'm
innocent & lies are being spread. Because Kendrick's was not at the
house we reviewed a second audio visual audio of cameras while
we harvested from PDC medical interviews on jailix. Kendrick's can't
say it's a lie. Was he there? No!!! Of course officers will believe
officers always eat their own. For that as a favor of others won't leave
my heart. I'M an innocent staff. Of course IT Director other employees
involved will deny & say no such officer was made because they fear of losing
their job. They should have thought about the consequences before the
officers made of malicious force was used on me. (10) However, if audio
or visual camera footage on me all times to protect me from it as used
now by officers also to prevent them from making illegal offers to me
about drugs phones etc. With both audio visual camera will prevent officer
from abusing human rights. (11) Alleged illegal self I did attempt self
harm. And officers didn't help especially Stojan. He pushed off me
before self from last night self. Then stopped me to leave while
I was trying to get away. Seizure team offlined him result on 11th Street
on 3/10/18 11:00-8:00pm. Then maliciously denied me medical care access of home.
ITMS DCTX like etc. etc. fabricated it was destroyed by employees without
true behavior information recorded to try to later falsify it. (12) As of
July officers didn't provide us health services State that they could find any
other place in DCTC that means human rights violated. Malicious destruction
of medical files or I was assaulted again with pepper spray by 6:00 months on
July 11th 4:45am injuries etc. Information known is that officer involved
officers are not in jail. Infallible evidence of off incident of Malicious
destruction of bodily used officer pepper spray on NC C 5th segmental 11, on
the day while I was in immediate need of medical attention/pepper spray off
cigarette contractions Sp. 10:00 11:00-11:15 I suffered disabilities caused from
no medication for heart condition. In particular, severe polyuria due to lack of
chlorine & also severely swollen to level POC 50% size. In addition
I was hospitalized for snitching and working for police evidence instead of
sick leave with evidence of documents will confirm substantial unnecessary physical force
including this man's neighbor & officials around our house naturally from
another world after that he was transferred another prison business

Facility Manager's Appeal Response
SCI-Huntingdon
 1100 Pike St.
 Huntingdon, PA 16654-1112

STU1009

This serves to acknowledge receipt of your grievance appeal to the Facility Manager for the grievance noted below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System Policy," the following response is being provided based on a review of the entire record of this grievance. The review included your initial grievance, the Grievance Officer's response, your appeal to me, and any other documents submitted.

Inmate Name:	Lamont Zamichieli	Inmate Number:	LW2870
Facility:	HUN	Location:	GC-Unit
Grievance #:	728526	728525	
Decision:	<input checked="" type="checkbox"/> Uphold Response (UR) <input type="checkbox"/> Uphold in part/Deny in part <input type="checkbox"/> Uphold Inmate (UI) <input type="checkbox"/> Dismiss/Dismiss Untimely		
<i>It is the decision of this Facility Manager to uphold the initial response, uphold the inmate, dismiss, or uphold in part/deny in part. This response will include a brief rationale summarizing the conclusion and any action taken to resolve the issue(s) raised in the grievance and your appeal and relief sought.</i>			
Response:	In reviewing your grievance and appeal, I note that your concern with the use of OC was appropriately addressed by Mr. Kendrick. In your appeal, you repeat the claims presented in your initial grievance. You believe staff maliciously planned to harm you and that you were pepper sprayed for trying to report sexual abuse. In his response to your initial grievance, Mr. Kendrick explains why staff had to use OC on you. He notes your numerous mental health contacts to ensure your wellbeing. I find no evidence staff used OC Inappropriately or that there was any malicious plan to harm you. I can only encourage you to refrain from the types of behaviors that result in the use of OC. In closing, I can only reiterate that I uphold the response provided by the grievance officer. Your grievance is found to be without merit.		
Signature:	Kevin Kauffman 		
Title:	Facility Manager		
Date:	5-23-18		

cc: DC-15
 File

DC-ADM 804, Inmate Grievance System Procedures Manual
Section 2 - Appeals

Issued: 12/1/2010
 Effective: 12/8/2010

Attachment 2-B

DC-804
Part 1

Appeal to Final Review # 728525 X

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

FOR OFFICIAL USE

GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR <i>Final Review Level</i>	FACILITY: SCI-Huntington	DATE: 6/7/18
FROM: (INMATE NAME & NUMBER) Lemont Zamichelli #LN2870	SIGNATURE OF INMATE:	
WORK ASSIGNMENT: NF	HOUSING ASSIGNMENT: 9C1010 DT4.	

INSTRUCTIONS:

1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. List in Block B any action you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted. *My beliefs are as registered in my initial responses concerning*

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages (one DC-804 form and one one-sided 8½" x 11" page). State all relief that you are seeking.

Appeal # 728525 to Final Review Presents The following facts below:

Per 13.8.1, 6.3.1, and 6.5.1 PA DOC Policies and the ADM-201, being as I'm a (SMI) Serious Mentally ill inmate Stability D Roster individual I was to be given the less used force to prevent me from self injury or while I was unconscious, unresponsive, seizure, in need of medical attention or serious medical-mental health needs! As quoted in the ADM-201 SECTION 1, B. under ~~Instrument~~ Instruments of Restraints and the C. S. 1 Facility see security section 33, Restraints. I was not to be pepper sprayed. I was to be restrained placed in cuffs and placed in a restraint chair. To cause harm on DOC Policies is a planned use of unnecessary force in which violates my due process 14th amendment and 8th amendment cruel unusual punishment section b. the U.S Constitution also falls within guide lines of ADA and section 504 of RA prohibited discrimination based on Mental health qualified schizophrenia disorder, bipolar, Seizures, epilepsy, etc! To inflict injury on a (SMI) individual causing (SI)

B. List actions taken and staff you have contacted, before submitting this grievance.

Self injuries Behavior CR caused by injuries already in past, is a matter of Abuse as quoted in the ADM-001 DOC PA Policy and an act of unlawful use of force as quoted in section 2 of the ADM-201 under A, Review 5, 6, and 7 appropriateness of the level of force used in any potentially problematic issues and recommendations of follow up actions. In which the Policy rules and regulations can be a bridge to fit

Signature of Facility Grievance Coordinator

Date

WHITE Facility Grievance Coordinator Copy
GOLDEN ROD Inmate Copy

CANARY File Copy

PINK Action Return Copy

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which viol
the Code of
ETHICS as w
Under B.1,02
and 31.

2018

Final Appeal Decision
Secretary's Office of Inmate Grievances & Appeals
 Pennsylvania Department of Corrections
 1920 Technology Parkway
 Mechanicsburg, PA 17050

This serves to acknowledge receipt of your appeal to the Secretary's Office of Inmate Grievances and Appeals for the grievance noted below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System Policy", the following response is being provided based on a review of the entire record of this grievance. The review included your initial grievance, the Grievance Officer's response, your appeal to the Facility Manager, the Facility Manager's response, the issues you raised to final review, and (when applicable) any revised institutional responses required as a result of a subsequent remand action by this office. As necessary, input from appropriate Central Office Bureaus (e.g., Health Care Services, Chief Counsel, Office of Special Investigations and Intelligence, etc) may have been solicited in making a determination in response to your issue as well.

Inmate Name:	Lamont Zamichieli	Inmate Number:	LW2870
SCI Filed at:	Huntingdon	Current SCI:	Huntingdon
Grievance #:	733568		

Publication (if applicable):

Decision:	<input checked="" type="checkbox"/> Uphold Response (UR) <input type="checkbox"/> Uphold Inmate (UI) <input type="checkbox"/> Uphold in part/Deny in part
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It is the decision of the Secretary's Office of Inmate Grievances and Appeals to uphold the initial response, uphold the inmate, or Uphold in part/Deny in part. This response will include a brief rationale, summarizing the conclusion, any action taken to resolve the issue(s) raised in the grievance and your appeal and relief sought.

Response:	Frivolous
You claim in your grievance that excessive force was used when staff sprayed OC on you. An investigation was conducted regarding your allegations. The record reflects that you attempted to grab a staff member and OC was used to prevent you from grabbing him. The record reflects that at no time was excessive force was used. You have failed to provide any evidence that policy was violated. Therefore, your requested relief is denied.	

Signature:	Dorina Varner <i>Dorina Varner</i>
Title:	Chief Grievance Officer
Date:	8/7/18

DLV

cc: DC-15/Superintendent Kauffman
 Grievance Office

INITIAL REVIEW RESPONSE

SCI-Huntingdon

1100 Pike St.

Huntingdon, PA 16654-1112

DTU

109

This serves to acknowledge receipt of your grievance to the assigned Grievance Officer. The response is as follows.

Inmate Name:	Zamichieli	Inmate Number:	LW2870
Facility:	Huntingdon	Unit Location:	G block
Grievance #:	733568	Grievance Date:	4/24/18

Decision: Uphold Inmate Uphold in Part/Deny in Part
X Grievance Denied

It is the decision of this grievance officer to uphold or deny the inmate's initial grievance. This response will include a brief rationale, summarize the conclusion, any action taken to resolve the issue(s) raised in the grievance and, relief sought.

Response:	Frivolous
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I have received your grievance in which you allege that Staff used excessive force on you by using OC on you. I researched your grievance, talked to several staff members, and reviewed the use of force that was prepared and submitted. You attempted to grab a staff members arm and OC was used on you to prevent this from happening. At no time was the use of force excessive or outside the guidelines set forth in policy and procedures. If you would follow policies and procedures, you could eliminate any possible uses of force.

For the above reasons this grievance and all relief sought is denied.

Signature:	C. Kuli-Hoost
Title:	RHU/DTU UM
Date:	5/11/18

cc: Superintendent
DC-15
File

DC-ADM 804, Inmate Grievance System Procedures Manual

Section 1 - Grievances & Initial Review

Issued: 12/1/2010

Effective: 12/8/2010

Attachment 1-D

Appeal #
733568First level of appeal
to the Superintendent

733568

Form DC-135A

INMATE'S REQUEST TO STAFF MEMBER

Appeal to the

Superintendent of (Sci) Huntington

1. To: (Name and Title of Officer)

Mr Kevin Kaufman

3. By: (Print Inmate Name and Number)

Lamont Zamichiel LW-2870

~~Inmate Signature~~

6. Work Assignment

N/A

8. Subject: State your request completely but briefly. Give details.

Sir i will like for you to reinvestigate my claim's in my initial report. unit manager Kendrick made a misjudgement in his report sir if you would run the camera back on that time and date indicated in my initial report which was/is 4-14-18 time Framed (16:20th to 16:40th) you will have a clear side view of my cell from camera 138 which views the bottom fair sir. You will see me reach my hand out my wicket to obtain possession of it sir. I never grab the officer as he said i attempted to do sir. And as i read the DC-ADM-201 use of force sir. Now sir being as i never grab that officer and i was still secured in my cell per C.3.1 and C.5.1 and ADM-201 their was no reason as quoted in policy to use force. Sir as you look @ dat the camera you will see the officer step back after i took hold of the wicket (which) faster the trash of his hip (C.5.1) C.5.1 consist in start to spray me sir in the face which is the use of force were it was not needed sir. As quoted in the ADM-201 Section 2, A 4 and 5. Sir the officer whom use the air spray sir do not have even two years in an Department of Corrections grounds sir there in fact he's still in his training.

9. Response: (This Section for Staff Response Only)

State i which he violated sir. I never had hold of him sir. I never attempted to grab him neither sir he abused his authority to make right and sound judgement or enhance laws sir. And by him unlawfully using force on me falls in lines of abuse sir AS quoted in the ADM-001 Excessive force used against an inmate maliciously for the purpose of causing harm and improper use of force - Failure to follow the departments policy regarding the use of force continuum in a justified manner. My beliefs ABE as is in my initial Report.

To DC-14 CAR and DC-15 IRS To DC-14 CAR only

Staff Member Name _____

Print _____

Sign _____

Date _____

Facility Manager's Appeal Response**SCI-Huntingdon**

1100 Pike St.

Huntingdon, PA 16654-1112

C110

This serves to acknowledge receipt of your grievance appeal to the Facility Manager for the grievance noted below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System Policy," the following response is being provided based on a review of the entire record of this grievance. The review included your initial grievance, the Grievance Officer's response, your appeal to me, and any other documents submitted.

Inmate Name:	Lamont Zamichieli	Inmate Number:	LW2870
Facility:	HUN	Unit Location:	GC-Unit
Grievance #:	733568		
<input checked="" type="checkbox"/> Uphold Response (UR) <input type="checkbox"/> Uphold Inmate (UI)			
<input type="checkbox"/> Uphold in part/Deny in part <input type="checkbox"/> Dismiss/Dismiss Untimely			

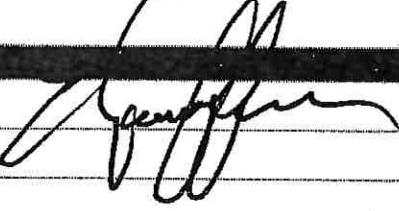
It is the decision of this Facility Manager to uphold the initial response, uphold the inmate, dismiss, or uphold in part/deny in part. This response will include a brief rationale summarizing the conclusion and any action taken to resolve the issue(s) raised in the grievance and your appeal and relief sought.

Response: *Frivolous*

In reviewing your grievance and appeal, I note that your concern with the use of OC was appropriately addressed by Mr. Kendrick. In your appeal, you explain your version of the events resulting in the use of OC. You argue the use of force policy was violated. In his response to your initial grievance, Mr. Kendrick explains he interviewed staff and reviewed the use of force report. He found the use of OC was appropriate and within policy guidelines. As a result of this incident, as you yourself note, you received a misconduct. Your request for \$85,000 is denied.

In closing, I can only reiterate that I uphold the response provided by the grievance officer. Your grievance is found to be without merit.

Signature:	Kevin Kauffman
Title:	Facility Manager
Date:	6-27-18



cc: DC-15
File

DC-ADM 804, Inmate Grievance System Procedures Manual
Section 2 - Appeals

Issued: 12/1/2010
Effective: 12/8/2010

Attachment 2-B

DC-804
Part 1

ATTN: Appeal # 733568

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

FOR OFFICIAL USE

GRIEVANCE NUMBER

OFFICIAL INMATE GRIEVANCE

TO: FACILITY GRIEVANCE COORDINATOR <u>FACIL Review Central office</u>	FACILITY: <u>SCI Huntington</u>	DATE: <u>7/14/18</u>
FROM: (INMATE NAME & NUMBER) <u>Lamont Zamichieli # LW2870</u>	SIGNATURE OF INMATE: <u>[Signature]</u>	
WORK ASSIGNMENT: <u>N/A</u>	HOUSING ASSIGNMENT: <u>GC101017A</u>	Relief: Remove C/o Merritts Initial grievance 851000 C/S/L excessive force

INSTRUCTIONS: (I) Request cameras of all detainees to be secured. Relief: As requested in 1. Refer to the DC-ADM 804 for procedures on the inmate grievance system. 2. State your grievance in Block A in a brief and understandable manner. 3. List in Block B any action you may have taken to resolve this matter. Be sure to include the identity of relief staff members you have contacted. I New has permanent eye injuries loss of vision, double vision, missed meals and was weak too weak to open my eyes. I was assaulted by C/o Merritts II on 4/19/18 between (16:20 - 16:40) hours... He used EXCESSIVE FORCE and PEPPER SPRAYED ME WHILE I WAS SECURED BEHIND MY DOOR CELL GC 041007. Cameras will verify and show I felt weak in chronic pain requiring medical attention Psychiatric care and he maliciously used force and then wrote false misconduct to cover up he never I did not REQUEST or attempt to assault him or any officer in anyway. He grabbed or attempted to grab him, or throw tray or anything at him. I was given DC 709 for secured food PASS Double aperture and food restriction DC 708 for instead of DTU, a regular cell NO camera NO secured food aperture... had a regular which because (1) C/o Merritts LT. Dunkle and C/o Henry knew that they plotted planned to hurt me spray me out of retaliation and lie on me. They knew plus cameras verified that I wasn't a threat to any officers NOR I didn't attempt to assault Merritt

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages (one DC-804 form and one one-sided 8½" x 11" page). State all relief that you are seeking.

I was assaulted by C/o Merritts II on 4/19/18 between (16:20 - 16:40) hours... He used EXCESSIVE FORCE and PEPPER SPRAYED ME WHILE I WAS SECURED BEHIND MY DOOR CELL GC 041007. Cameras will verify and show I felt weak in chronic pain requiring medical attention Psychiatric care and he maliciously used force and then wrote false misconduct to cover up he never I did not REQUEST or attempt to assault him or any officer in anyway. He grabbed or attempted to grab him, or throw tray or anything at him. I was given DC 709 for secured food PASS Double aperture and food restriction DC 708 for instead of DTU, a regular cell NO camera NO secured food aperture... had a regular which because (1) C/o Merritts LT. Dunkle and C/o Henry knew that they plotted planned to hurt me spray me out of retaliation and lie on me. They knew plus cameras verified that I wasn't a threat to any officers NOR I didn't attempt to assault Merritt

B. List actions taken and staff you have contacted, before submitting this grievance. Because if I didn't do it I would have been in Double secure food Aperture cell for safety protocol. (2) Staff wanted to be deliberate and prevent any harm to my safety Psychiatric needs health needs also physical needs after being assaulted by C/o Merritts with Pepper Spray the whole can on his wrist. He used malicious excessive force on mental ill (SMI) inmate. The force was malicious plus officer is still in training stage

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

Date

Relief: I request to be transferred to another facility in next 30 days House on GP!
WHITE Facility Grievance Coordinator Copy CANARY File Copy PINK Action Return Copy

GOLDEN ROD Inmate Copy

I returned from POC Room D Placement on about 4/23/18 and housed in cell GC1009... a cell without double aperture/camera as DC 709 restrictions was valid, correct?

C/o Merritts, He violated DOC Policy, State and Federal Law didn't follow the DCAPM DC use of force Policy or G. 3.

or G. S. 1, Spraying me Attachment 1-A for no reason but CS to retaliate for pest control.

DC-ADM 804, Inmate Grievance System Procedures Manual
Section 1 – Grievances & Initial Review
Issued: 1/26/2016 Effective: 2/16/2016
Lack of decontamination after use of OC pepper spray (11 Hrs.)